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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/531,291	04/14/2005	Michel Banatre	017346-0186	4654

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EXAMINER	
PARK, JEONG S	

ART UNIT	PAPER NUMBER
2454	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/531,291	BANATRE ET AL.	
	Examiner	Art Unit	
	JEONG S. PARK	2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 June 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11,18 and 36-46* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11,18 and 36-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is in response to Application No. 10/531,291 filed on 4/14/2005. The amendment presented on 11/11/2009, which amends claims 1 and 42 and cancels claim 47, is hereby acknowledged. Claims 1-11, 18 and 36-46 have been examined.

Claim Rejections - 35 USC § 101

2. The amendment presented on 6/4/2010 amending claim 42 obviates the outstanding 35 USC 101 rejections, and they are hereby withdrawn.

Claim Rejections - 35 USC § 112

3. The amendment presented on 6/4/2010 cancelling claim 47 obviates the outstanding 35 USC 112 rejections, and they are hereby withdrawn.

Response to Arguments

4. Applicant's arguments filed 6/4/2010, with respect to claims 1-11, 18 and 36-46 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

> invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-3, 7-11, 18, and 36-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saraga et al. (hereinafter Saraga)(U.S. Pub. No. 2002/0062192) in view of Kado et al. (hereinafter Kado)(U.S. Pub. No. 2001/0053669).

Regarding claim 1, Saraga teaches as follows:

A method for exchanging data between a portable user equipment (mobile telephone 12 in figure 1), a plurality of service stations (base stations BS1-BS7 in figure 2) placed at selected locations and a plurality of mobile service providers (bus 14 in figure 1)(see, e.g., page 2, paragraph [0026]), said method including the steps of:

generating a first request message including designating service data at the portable user equipment (mobile telephone requests a travel-related request such as a particular travel destination, see, e.g., page 2, paragraph [0026]);

transmitting the first request message, each of the plurality of service stations (a plurality of base station BS1-BS7 in figure 2) being arranged with a short-range communication module which provides a first transmission zone, the portable user equipment including a compatible short-range communication module (the mobile phone transmits the travel-related request via one of the plurality of base stations, see, e.g., page 3, paragraph [0030] and figure 2);

generating a second request message including at least said designating service data at that one of the plurality of service stations whose first transmission zone contains the portable user equipment upon receiving the first request message (the base station via system controller (18 in figure 1) generates request for the Internet

Service Provider to provide web-based application from a transport service provider, see, e.g., page 3, paragraph [0034]);

transmitting the second request message, each of the plurality of mobile service providers (transport service provider) being arranged with a short-range communication module which provides a second transmission zone, each of the plurality of service stations including a compatible short-range communication module (system sends the travel-related request with position data to the transport service provider, see, e.g., page 2, paragraph [0026]);

receiving the second request message at that one of the plurality of mobile service providers (a bus equipped with mobile communication device) whose second transmission zone contains one of the plurality of service stations at which the second request message was generated (the driver of the bus receives passenger information, see, e.g., page 3, paragraph [0028]); and

stopping such mobile service provider at such service station (the bus stops at the bus stop 16 in figure 1, see, e.g., page 3, paragraph [0028]).

Therefore, Saraga teaches that the system presents a centralized architecture which is based on communication networks. Saraga' system employs a central internet service provider and the communication between the user mobile telephone and the controller occurs through a cellular telephone network which employs the system controller connected to a public switched telephone network PSTN.

Saraga does not teach of the direct transmission between the portable user equipment and one of the plurality of service stations and between the one of the plurality of service stations and one of the plurality of mobile service providers nor the plurality of service stations are placed at selected locations along a route traversed by the mobile service providers and indicate where the mobile service providers can stop, and each of the plurality of service stations being arranged with a short-range communication module.

Kado teaches as follows:

The direct transmission between the portable user equipment (a user node B, 24 in figure 1, is carried continuously by a student, see, e.g., paragraph [0039]) and one of the plurality of service stations (a fixed communication terminal (fixed node) L, M, N, 0, P, Q, R, S and T provided in a stop point 14a, 14b, 14c, 14d, 14e, 14f, 14g, see, e.g., paragraph [0037])(to each of the fixed nodes, service information of the regularly operating bus mounting the mobile node which carries out (links) a direct data communication is set, see, e.g., paragraph [0040]) and between the one of the plurality of service stations and one of the plurality of mobile service providers (a mobile communication terminal (mobile node) W, X, Y and Z provided in a regularly operating bus 12a, 12b, 12c, and 12d respectively, see, e.g., paragraph [0037])(the fixed node receives the packet signal from the mobile node when the regularly operating bus arrives at the stop point, and the received packet signal is transferred to the user node based upon the destination node ID, see, e.g., paragraph [0049]); and

the plurality of service stations are placed at selected locations along a route traversed by the mobile service providers and indicate where the mobile service providers can stop (a communication network system includes a mobile node and a plurality of fixed nodes. The mobile node (equivalent to applicant's mobile service provider) is a node moving along a predetermined route, and the fixed node (equivalent to applicant's service station) is a node to be fixed along the predetermined route, see, e.g., Abstract), and each of the plurality of service stations being arranged with a short-range communication module (all of the user node, the fixed node and the mobile node are constituted as shown in FIG. 2. The modulated high frequency packet signal is received and transmitted by way of the antenna, see, e.g., paragraph [0059]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Saraga with Kado to include a fixed node communicating between a user node and mobile node as taught by Kado in order to prevent a radio wave environment from deteriorating by utilizing a strong radio wave (see, e.g., Kado, paragraph [0114]).

Regarding claim 2, Kado teaches as follows:

Each of said plurality of service stations (interpreted as fixed nodes "L", "M", "N", "P", "Q", "R", "S" and "T") being associated with at least one designated service (to the mobile node W and X's IDs "L", "M", "N" and "P" of the mobile nodes provided along the first route Rt1 are set as service information. To the mobile node Y and Z's IDs "P", "Q", "R", "S" and "T" of the mobile nodes provided along the second route Rt2 are set as service information, see, e.g., paragraph [0041]), wherein step b) is performed only

when said designating service data of the first request message matches said at least one designated service (in the memory 38, stored is the timetable 38a of the regularly operating bus to which the mobile node to carry out a direct data communication is set. In other words, in the memory 38 of the fixed node L-P the time table 38a of the regularly operating bus 12a and 12b is stored, and in the memory 38 of the fixed node P-T the time table of the regularly operating bus 12c and 12d is stored, see, e.g., paragraph [0064]).

Therefore, it is rejected for similar reason as presented above in claim 1.

Regarding claim 3, Kado teaches as follows:

Each of said plurality of mobile service providers (interpreted as mobile nodes) being associated with at least one designated service (to the mobile node W and X's IDs "L", "M", "N" and "P" of the mobile nodes provided along the first route Rt1 are set as service information. To the mobile node Y and Z's IDs "P", "Q", "R", "S" and "T" of the mobile nodes provided along the second route Rt2 are set as service information, see, e.g., paragraph [0041]), wherein step e) is performed only when said designating service data of the second request message matches said at least one designated service (the regularly operating bus 12a and 12sb (equivalent to applicant's mobile service providers) travel the first route Rt1 (equivalent to applicant's designating service data) in accordance with a predetermined timetable. The regularly operating bus 12c and 12d travel the second route Rt2 in accordance with a predetermined timetable, see, e.g., paragraph [0038]).

Therefore, it is rejected for similar reason as presented above in claim 1.

Regarding claim 7, Saraga teach as follows:

Designating service data includes data defining a first spatial value (position data) which is defined at any location within a restricted physical volume (the mobile telephone has the capability to provide output signal indicative of its location, see, e.g., page 2, paragraph [0026]).

Regarding claim 8, Saraga teaches as follows:

Sending information to said portable user equipment, after receiving the first request message (the result is then output to the requested mobile telephone, see, e.g., page 4, paragraph [0036]).

Regarding claim 9, Saraga teaches as follows:

Information comprises arrival time data relative to that one of the plurality of service stations which receives the second request message (the travel service comprises the time Y before the bus arrives at the bus stop, see, e.g., page 3, paragraph [0028]).

Regarding claims 10 and 11, Saraga teaches as follows:

Since the internet service provider serves to calculate a response to the mobile telephone user's request on the basis of information indicative of the current state of the travel service offered by the transport service provider, it would have been obvious for one of ordinary skill in the art at the time of the invention to include advertising type information by indicating Internet site address.

Regarding claims 18, 39, 40 and 41, they are rejected for similar reason as presented above in claims 1 and 2.

Regarding claim 42, they are rejected for similar reason as presented above in claims 1 and 2.

Regarding claims 36 and 38, they are rejected for similar reason as presented above in claims 1 and 2.

Regarding claim 37, Saraga teaches as follows:

The portable user equipment is chosen from a group including mobile telephones and personal digital assistants (mobile telephone, see, e.g., page 2, paragraph [0026]).

7. Claims 4-6 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saraga et al. (hereinafter Saraga)(U.S. Pub. No. 2002/0062192) in view of Kado et al. (hereinafter Kado)(U.S. Pub. No. 2001/0053669), and further in view of Moore et al. (hereinafter Moore)(U.S. Pub. No. 2002/0129170 A1).

Regarding claims 4, 6, 43, and 45, Saraga in view of Kado does not teach of the ad hoc exchanges.

Moore teaches as follows:

Ad hoc point-to-point connections between Bluetooth enabled devices (see, e.g., page 4, paragraph [0029], lines 1-5).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Saraga in view of Kado with Moore to include ad hoc point-to-point connections between Bluetooth enabled devices taught by Moore in order to establish a short-range radio frequency communications between two Bluetooth enabled devices.

Regarding claims 5, 44, and 46, Saraga teach as follows:

Designating service data includes data defining a first spatial value (position data) which is defined at any location within a restricted physical volume (the mobile telephone has the capability to provide output signal indicative of its location, see, e.g., page 2, paragraph [0026]).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-

1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2454

August 17, 2010

/Larry Donaghue/
Primary Examiner, Art Unit 2454